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Granting of a licence for the commercial activity as a real estate loan broker

Heruntergeladen am 10.06.2025

<https://fimportal.de/xzufi-services/6003381/L100009>

| Modul | Sachverhalt |
|---------------------------|--------------------------------------------------------------------------------|
| Leistungsschlüssel | 99050110001000 |
| Leistungsbezeichnung I | Granting of a licence for the commercial activity as a real estate loan broker |
| Leistungsbezeichnung II | Granting of a licence for the commercial activity as a real estate loan broker |
| Typisierung | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug |
| Quellredaktion | Sachsen |
| Freigabestatus Katalog | unbestimmter Freigabestatus |
| Freigabestatus Bibliothek | unbestimmter Freigabestatus |
| Begriffe im Kontext | |
| Leistungstyp | |
| Leistungsgruppierung | |
| Verrichtungskennung | |

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| SDG-Informationsbereich | |
| Lagen Portalverbund | |
| Einheitlicher Ansprechpartner | |
| Fachlich freigegeben am | |
| Fachlich freigegeben durch | |
| Handlungsgrundlage | <ul style="list-style-type: none"> • § 34i [Gewerbeordnung](http://www.gesetze-im-internet.de/gewo/index.html) (GewO) – Immobiliardarlehensvermittler <ul style="list-style-type: none"> • „§ 11a Absatz 1 [GewO](http://www.gesetze-im-internet.de/gewo/index.html) \- Vermittlerregister <ul style="list-style-type: none"> • §§ 1 bis 5 [Immobiliardarlehensvermittlungsverordnung](https://www.gesetze-im-internet.de/immvermv/) (ImmVermV) – Sachkundenachweis <ul style="list-style-type: none"> • § 491 [Bürgerliches Gesetzbuch (BGB)](https://www.gesetze-im-internet.de/bgb/)– Verbraucherdarlehensvertrag <ul style="list-style-type: none"> • § 503 BGB – Umwandlung bei Immobilial-Verbraucherdarlehen in Fremdwährung |
| Teaser | If you commercially offer real estate consumer loans or corresponding financing aids, you need a permit to act as a real estate broker. |
| Volltext | <p>If you commercially offer real estate consumer loans or corresponding financing aids, you need a permit to act as a real estate broker.</p> <p>Real estate consumer loans are loan agreements between an entrepreneur as lender and a consumer as borrower which are either secured by a real estate lien or a real charge, or which are intended for the acquisition or maintenance of ownership of land or buildings.</p> <p>You also need a permit to act as a real estate loan broker if you want to</p> |

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- arrange financing aids against payment or
- advise third parties on real estate consumer loan agreements or corresponding remunerated financing aids.

****Note:**** In addition to the license, you must also be entered in the Register of Intermediaries. You can submit the application for this together with the permit application.

Erforderliche Unterlagen

You must submit the following documents for consideration for permission to act as a real estate loan broker:

- certificate of good conduct for submission to an authority
- an extract from the central business register
- if applicable, a certificate in tax matters from the tax office
- if applicable, a certificate of no objection from the municipal tax office
- an extract from the debtors' register of the central enforcement court
- if applicable, information from the insolvency court on freedom from insolvency and on the rejection of the opening of proceedings for lack of assets
- proof of professional liability insurance
- proof of the required expertise

in the case of legal entities and commercial partnerships:

- an extract from the commercial register

Voraussetzungen

Permission to act commercially as a real estate loan broker will be granted if you

- are reliable,
- are in good financial standing,
- have professional indemnity insurance,
- have successfully passed an expert examination at a

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| | Chamber of Commerce and Industry or can prove this required expert knowledge by an equivalent professional qualification. |
| Kosten | Procedural fee (according to the fee schedule of the responsible department). |
| Verfahrensablauf | <p>You apply for permission to act as a fee-based financial investment advisor in writing to the trade authority (-> responsible department). You can obtain the necessary forms here via Amt24 or from the responsible department.</p> <ul style="list-style-type: none"> • The permit is issued to you in the form of a permit notice. • After taking up the activity as a real estate loan broker, you must immediately apply for entry in the register. <p>**Tip:** Individuals (natural persons) apply for the permit themselves or through authorised third parties. In the case of legal entities, the application is made by their legal representatives or by third parties authorised in writing.</p> <p>**Attention!** If you have not already applied for entry in the Register of Intermediaries together with the permit, you must still be entered in the Register of Intermediaries before you start working.**</p> |
| Bearbeitungsdauer | As soon as all documents are complete, the application will be processed within several weeks. |
| Frist | before starting the activity |
| weiterführende Informationen | |
| Hinweise | |
| Rechtsbehelf | Objection (details in the notice) |
| Kurztext | |

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| Ansprechpunkt | |
| Zuständige Stelle | |
| Formulare | |
| Ursprungsportal | |